

**IN THE DRAWINGS**

Please amend Figures 1 and 2 to include the legend “Prior Art.” Replacement sheets for Figures 1 and 2 are submitted herewith.

## REMARKS

### **I. Introduction**

In response to the Office Action dated March 26, 2007, Applicants have amended claims 1, 4, 5, and 8 – 10, and have added new claims 11 – 17. Care has been taken to avoid the introduction of new matter. In view of the foregoing amendments and the following remarks, Applicants respectfully submit that all pending claims are in condition for allowance.

### **II. Claim Rejections Under 35 U.S.C. § 112**

Claim 10 stands rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Applicants have amended claim 10, as suggested by the Examiner. Accordingly, withdrawal of this rejection is respectfully requested.

### **III. Claim Rejections Under 35 U.S.C. §§ 102 and 103**

Claims 1 – 10 stand rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 6,004,480 to Pleso. Applicants traverse these rejections for at least the following reasons.

Claim 1, as amended, recites a method of installing a software program in a host device comprising determining a role of said host device and said peripheral device in accordance with the USB On-The-Go specification. In accordance with this configuration, it is possible for two devices to be coupled to one another directly, without requiring the use of a personal computer. The USB On-The-Go specification represents the direct connection of two devices (i.e., without the use of a PC). However, in Pleso, a peripheral device is always required to connect with a computer system. As such, Pleso does not disclose determining a role of said host device and said peripheral device in accordance with the USB On-The-Go specification.

Accordingly, as anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), and Pleso fails to disclose at least the above described elements, it is clear Pleso does not anticipate independent claim 1. Independent claims 5, 9, and 11 each include a feature of defining a host and/or peripheral device in accordance with the USB On-The-Go specification. As such, Pleso also fails to disclose these features.

Claims 2 – 4, 6 – 8, 10, and 12 – 17 depend from one of the independent claims. Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Harness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as the independent claims are patentable for at least the reasons set forth above, it is respectfully submitted that all dependent claims are also in condition for allowance. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

#### IV. Conclusion

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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